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16 UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 SAN FRANCISCO DIVISION

20 WAYMO LLC,

Case No. 3:17-cv-00939-WHA

21 Plaintiff,

**DECLARATION OF
THOMAS J. PARDINI IN SUPPORT
OF DEFENDANTS UBER
TECHNOLOGIES, INC. AND
OTTOMOTTO LLC'S
ADMINISTRATIVE MOTION TO
FILE UNDER SEAL THEIR PRECIS
IN SUPPORT OF REQUEST TO FILE
MOTION IN LIMINE TO EXCLUDE
TESTIMONY AND OPINIONS OF
WAYMO EXPERT
LAMBERTUS HESSELINK OPINION
ON TS 25**

22 v.

23 UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

24 Defendants.

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1 I, Thomas J. Pardini, declare as follows:

2 1. I am a member of the Bar of the State of California and an attorney at the law firm
 3 of Morrison & Foerster LLP. I make this declaration based upon matters within my own personal
 4 knowledge and if called as a witness, I could and would competently testify to the matters set
 5 forth herein. I make this declaration in support of Defendants' Administrative Motion to File
 6 Under Seal Their Precis in Support of Request to File Motion in Limine to Exclude Testimony
 7 and Opinions of Waymo Expert Lambertus Hesselink Opinion on TS 25.

8 2. I have reviewed the following documents and confirmed that only the portions
 9 identified below merit sealing:

| 10 Document | 11 Portions to Be Filed Under Seal | 12 Designating Party |
|---|------------------------------------|--|
| 13 Precis in Support of Request to File Motion in Limine ("Precis") | 14 Highlighted Portions | 15 Defendants (Blue) 16 Plaintiff (Green) |

17 3. The blue-highlighted portions of the Precis contain highly confidential technical
 18 information considered by an Uber engineer. This highly confidential information is not publicly
 19 known. I understand that disclosure of this information could allow competitors to understand a
 20 former head of Uber ATG's thinking with respect to self-driving technology.

21 4. The green-highlighted portions of the Precis contains information that has been
 22 designated "Highly Confidential – Attorneys' Eyes Only" or "Confidential" by Waymo in
 23 accordance with the Patent Local Rule 2-2 Interim Model Protective Order ("Protective Order"),
 24 which the parties have agreed governs this case (Transcript of 3/16/2017 Hearing, page 6).
 25 Defendants file this material under seal in accordance with Paragraph 14.4 of the Protective
 26 Order.

5. Defendants' request to seal is narrowly tailored to the portions of their Precis that merits sealing.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 10th day of November, 2017 at San Francisco, California.

/s/ Thomas J. Pardini

Thomas J. Pardini

ATTESTATION OF E-FILED SIGNATURE

I, Michael A. Jacobs, am the ECF User whose ID and password are being used to file this Declaration. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Thomas J. Pardini has concurred in this filing.

Dated: November 10, 2017

/s/ Michael A. Jacobs

MICHAEL A. JACOBS